

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

No. 4:05CR00306-001 SWW

JOSEPH E. CAMPBELL

MOTION FOR PSYCHIATRIC EXAMINATION

The United States of America, by and through counsel, Bud Cummins, United States Attorney for the Eastern District of Arkansas, and Todd L. Newton, Assistant United States Attorney, and for it motion, states:

1. On December 7, 2005, the grand jury for Eastern District of Arkansas returned an indictment against the defendant, charging him with multiple violations involving the enticement of a minor for purposes of engaging in criminal sexual activity.

2. On December 21, 2005, the defendant filed a Notice of Insanity Defense, pursuant to Rule 12.2 of the Federal Rules of Criminal Procedure.

3. Based upon the defendant's motion, as well as upon the evidence that the defendant presented at his detention hearing that was conducted on November 21, 2005 concerning his mental and physical condition, the United States petitions the Court for an evaluation of the defendant, pursuant to 18 U.S.C. §§ 4241 and 4242, to determine his mental competency, i.e., whether he is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand

the nature and consequences of the proceedings against him or to assist properly in his defense; and whether or not he was competent at the time of the offense.

5. The United States further moves the Court to order, prior to the date of the hearing, that a psychiatric or psychological examination of the defendant be conducted, and that a psychiatric or psychological report be filed with the Court pursuant to the provisions of 18 U.S.C. § 4247(b) and (c). The United States requests that this evaluation be performed by the Bureau of Prisons and that the defendant be allowed to self-report to the designated institution.

6. The United States further submits that any delay in commencing the trial of this case occasioned by the examination requested herein should be excluded under the provisions of the Speedy Trial Act as provided by 18 U.S.C. § 3161(h)(1)(A) and (H).

Respectfully submitted,

BUD CUMMINS
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

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